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REMARKS

Claims 1-18 are pending. Claim 1, 5, 6, and 8 have been amended. No new matter has been added by way of this amendment. Reconsideration of the application is respectfully requested.

Claims 1, 5, 6, and 7 have objected to because of certain informalities. In response to the objections, Applicant has amended the claims in a matter that is believed to address the specific objections. Accordingly, reconsideration and withdrawal of the objections are respectfully requested.

Claims 1-6, 8-15, and 17-18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,206,782 B1 to *Walker* et al. in view of U.S. Patent No. 6,146,272 to *Walker* et al., while claims 7 and 16 stand rejected as being unpatentable over the same references in further view of U.S. Patent No. 6,383,078 B1 to *Yacenda*. These several rejections are respectfully traversed.

The invention relates to a gaming system and method for purchasing lottery tickets and tracking the results therefore over the Internet. End users can purchase lottery tickets of different states online. The lottery tickets are electronically tracked (win or lose) and the results are forwarded to the purchasers via the Internet, e.g., by electronic mail (e-mail) or posting the results on a designated website.

In certain embodiment, the invention provides a system for purchasing lottery tickets over the Internet comprises at least one server and at least one computer connected to the at least one server via the Internet. The at least one server hosts at least one virtual group of lottery ticket purchasers, and stores group information for the at least one virtual group. The at least one server also stores lottery information about at least one lottery. The at least one server causes the lottery tickets to be purchased for the purchasers according to the group information and the lottery information. The at least one server then communicates the results of the purchases of lottery tickets to the purchasers on the basis of the group information (see pg. 2, line 17 thru page 3, line 3 of the specification).

In other embodiments, the invention provides a method for purchasing lottery tickets over the Internet in a system that includes at least one server and at least one computer, where the at least one server stores group information, a virtual group of purchasers of lottery tickets, and lottery information on at least one lottery. Here, the method comprises the steps of (a) electronically purchasing the lottery tickets according to the group information and the lottery information; (b) communicating results of the lottery ticket purchases to the purchasers using the group information; and (c) repeating steps (a) and (b) according to the group information and the lottery information, unless any of the group information and the lottery information is caused to be changed (see page 3, lines 4-15 of the specification).

U.S. Patent No. 6,206,782 B1 to *Walker* et al. relates to a system for facilitating group play by a team of members associated with a casino slot club that comprises a memory storage device and a processor. According to this reference, the memory storage device contains a player database including information relating to each team member, a teams database including information relating to each team, and a team plan database including information relating to a set of rules for allocating rewards to the members of the team when a payout is obtained by, or is due to, a particular team member (see col. 2, lines 47-56). However, this reference fails to teach the limitation "wherein at least one server hosts at least one virtual group of lottery tickets, where the at least one server stores group information for the at least one virtual group," as set forth in independent claim 1.

U.S. Patent No. 6,146,272 to *Walker* et al. discloses a conditional lottery ticket system that processes conditional lottery ticket transactions, including the acceptance and validation of play entries. According to this reference, the conditional lottery ticket system preferably includes a central lottery server and one or more remote lottery terminals. The conditional lottery ticket system permits a player to purchase conditional lottery tickets that are not activated until one or more player-defined activation conditions are satisfied (see col. 2, lines 25-34). However, this reference fails to cure the deficiency of the *Walker* '782 patent. Specifically, the *Walker* '272 patent also fails to disclose that "at least one server hosts at least one virtual group of lottery ticket purchases, where the at least one server stores group

information for the at least one virtual group," as set forth and claimed in independent claim 1.

U.S. Patent No. 6,383,078 B1 to *Yacenda* discloses a system and method for facilitating on-line lottery games provided over an electronic network such as the Internet. According to this reference, a lottery player needs to previously subscribe to an Internet service and log on to the Internet and jump to a website providing on-line lottery games in order to participate in on-line lottery games. When a subscriber accesses the Internet, a telephone service provider generates automatic number identification (ANI) information and ANI information is provided to an Internet service provider (ISP) who provides the Internet. Further, the ISP stores the ANI information associated with the location of the subscriber. When the subscriber is routed to a website providing lottery games, the ISP generates caller identification (ID) information to an agent that provides the website providing on-line lottery games over the Internet. The caller ID information includes the ANI information and is associated with the subscriber (see col. 2, lines 66-67 and col.3, lines 1-15). However, this reference also fails to cure the deficiency of the *Walker* '782 patent. Specifically, *Yacenda* fails to disclose that "at least one server hosts at least one virtual group of lottery ticket purchases, where the at least one server stores group information for the virtual group, as set forth in independent claim 1.

Set forth in the Office Action is that statement that:

"Walker ['782] teaches a group lottery game (4:1-10) system having a server, a remote computer connected

through a network like the Internet (9:11-20). Walker further teaches that server stores information about the group, including player registration, group rules (9:9-39), and information relating to a particular player (2:47-56). Walker also teaches that depending on the group rules, a winning maybe paid out to players automatically through the mail (12:5-12), or other means well known in the art(12:13-20). Additionally, a chat room is provided for group members to communicate over the Internet (13:9-11), and users will authenticate to the server using a password (13:7-9). Furthermore, an administrative body can set rules."

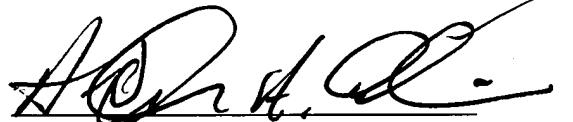
Applicant wishes to respectfully point out that the only place where any "virtual information" is stated is in col. 8, lines 39-43, with reference to Figure 8A of the *Yacenda* patent, which states that, "the lotto game page provides a virtual lottery ticket on which the subscriber can enter information such as lottery play numbers and a date of play." Applicant cannot see how a person of ordinary skill in the art would construe the "virtual information " recited in this patent such that it would read on the "virtual group" as recited in independent claim 1. As a result, Applicant must respectfully maintain that the virtual group as set forth and claimed in independent claim 1 is not taught or suggested by the cited references, either individually or in combination. Therefore, in view of the above amendments and remarks, it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

Independent method claim 8 corresponds to independent system claim 1, and hence, is also patentable over the cited references for the same reasons set forth above with respect to the corresponding system claim. Claims 2-7 depend from

independent claim 1, claims 9-17 depend from independent claim 8. Thus, those dependent claims are patentable over the cited references for at least the same reasons as provided above for independent claims 1 and 8. Therefore, applicant submits that the claims of the present application are patentable over the cited references.

If there are any other issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. Collins', written over a horizontal line.

Alphonso A. Collins

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PATENT TRADEMARK OFFICE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Michael OSTERER

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PURSUANT TO §1.121

November 1, 2002

Box FEE

Assistant Commissioner for Patents
Washington, DC 20231

IN THE SPECIFICATION:

On page 2, bridging page 3, delete the fourth paragraph and insert the new fourth paragraph as follows:

In a preferred embodiment, the invention provides a system for

purchasing lottery tickets over the Internet comprising at least one server and at least one computer connected to the at least one server via the Internet. The at least one server hosts at least one virtual group of lottery ticket purchasers, and stores group information for the at least one virtual group. The at least one server also stores lottery information about at least one lottery. The at least one server causes the lottery tickets to be purchased for the purchasers according to the group information and the lottery information. The at least one server then communicates the results of the purchases of lottery tickets to the purchasers on the basis of the group information.

On page 3, delete the second paragraph and insert the new second paragraph as follows:

In another embodiment, the invention provides a method for purchasing lottery tickets over the Internet in a system including at least one server and at least one computer, where the at least one server stores group information, a virtual group of purchasers of lottery tickets, and lottery information on at least one lottery. The method according to the embodiment comprises the steps of (a) electronically purchasing the lottery tickets according to the group information and the lottery information; (b) communicating results of the lottery ticket purchases [purchasers] to the purchasers using the group information; and (c) repeating steps (a) and (b) according to the group information and the lottery information, unless any of the group

information and the lottery information is caused to be changed.

IN THE CLAIMS:

1. (Amended) A system for purchasing lottery tickets over the Internet comprising:

at least one server; and

at least one computer connected to the at least one server via the Internet;

wherein the at least one server hosts at least one virtual group of lottery ticket purchasers, the at least one server storing group information for the at least one virtual group;

wherein the at least one server stores lottery information about at least one lottery;

wherein the at least one server causes the lottery tickets to be purchased for the purchasers according to the group information and the lottery information; and

wherein the at least one server communicates results of the purchase of lottery tickets to the purchasers on the basis of the group information.

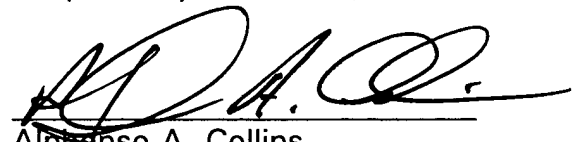
5. (Amended) The system of claim 1 wherein the group information is [caused to be] changed by accessing the at least one server via the Internet.

6. (Amended) The system of claim 1 wherein the lottery information is [caused to be] changed by accessing the at least one server via the Internet.

8. (Amended) A method for purchasing lottery tickets over the Internet in a system including at least one server and at least one computer, the at least one server storing group information, a virtual group of purchasers of lottery tickets, and lottery information on at least one lottery, the method comprising the steps of:

- (a) electronically purchasing the lottery tickets according to the group information and the lottery information;
- (b) communicating results of the lottery ticket purchasers to the purchasers using the group information; and
- (c) repeating steps (a) and (b) according to the group information and the lottery information, unless any of the group information and the lottery information is [caused to be] changed.

Respectfully submitted,



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